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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,942	09/09/2003	Richard Martin	14190US02	1603
23446 7590 07/13/2007 MCANDREWS HELD & MALLOY, LTD 500 WEST MADISON STREET SUITE 3400 CHICAGO, IL 60661			EXAMINER GOETZE, SIMON A	
			ART UNIT 2617	PAPER NUMBER
			MAIL DATE 07/13/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/657,942

Applicant(s)

MARTIN ET AL.

Examiner

Simon A. Goetze

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This Action is in response to Applicant's amendment filed on May 3, 2007. **Claims 1-27** are still pending. **This Action is made FINAL.**

Response to Arguments

Applicant's arguments filed with respect to independent claims 1, 10, and 19 have been fully considered but they are not persuasive.

The argued feature of associating at least one policy with a particular one of access point groups reads upon Eichert et al. in view of Forslow as follows.

Eichert et al. is disclosing a system of policy management in a network including multiple nodes. They disclose distributing policies for management to one or a group network devices which are known in the art to provide connectivity to groups of users. Therefore disclosing the limitation of "associating said at least one policy with a particular one of said access point groups." Forslow discusses a policy distributing process for a wireless local area network.

The references applied are from related art and therefore can be combined to show obviousness with respect to prior art. As a result, the argued features are written such that they read upon the cited references.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

1. **Claims 1-27** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Eichert et al. (US Patent 6,393,474)** in view of **Forslow (US Patent Application Publication 2002/0069278)**.

Consider **claim 1**, Eichert et al. discloses a method for hardware acceleration in a wired local area network, the method comprising:

creating at least one policy to be distributed among at least one of a plurality of access point groups (*the system administrator inputs instructions representing policy – Figure 3 – Column 3, Lines 42-57; Column 7, Lines 1-7; Column 8, Lines 31-42; Abstract*);

associating said at least one policy with a particular one of said access point groups (*policy is distributed to the different groups of network devices and end systems – Figures 1 and 3 – Column 4, Lines 1-18; Column 8, Lines 31-42 & 56-63*); and

distributing said associated at least one policy to at least one access point in said plurality of access point groups (*policy is distributed to the network devices and end systems – Figures 1 and 3 – Column 4, Lines 1-18; Column 8, Lines 31-42 & 56-63; Column 9, Lines 11-26*).

However, Eichert et al. discloses that this administration of a network occurs in a wired network such as a LAN or WAN, and fails to disclose that this happens in a hybrid wired/wireless network such as a WLAN.

In related prior art, Forslow discloses a centralized administration of policies to one or more routers which act as access points to wireless users (*Abstract; Page 4, Paragraph 0066; Page 5, Paragraph 0088; Column 6, Lines 0091 & 0097 – Figures 1-2*).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate the teachings of Forslow with those of Eichert et al. because it is desirable to implement a policy management system that can be dynamically controlled in a wireless network, due to their wide popularity and the ever increasing mobility of society.

Consider **claim 10**, Eichert et al. discloses a machine-readable storage, having stored thereon a computer program having at least one code section for hardware acceleration in a wired local area network, the at least one code section executable by a machine for causing the machine to perform the steps comprising:

creating at least one policy to be distributed among at least one of a plurality of access point groups (*the system administrator inputs instructions representing policy – Figure 3 – Column 3, Lines 42-57; Column 7, Lines 1-7; Column 8, Lines 31-42; Abstract*);

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associating said at least one policy with a particular one of said access point groups
(*policy is distributed to the different groups of network devices and end systems – Figures 1 and 3 – Column 4, Lines 1-18; Column 8, Lines 31-42 & 56-63*); and

distributing said associated at least one policy to at least one access point in said plurality of access point groups (*policy is distributed to the network devices and end systems – Figures 1 and 3 – Column 4, Lines 1-18; Column 8, Lines 31-42 & 56-63; Column 9, Lines 11-26*).

However, Eichert et al. discloses that this administration of a network occurs in a wired network such as a LAN or WAN, and fails to disclose that this happens in a hybrid wired/wireless network such as a WLAN.

In related prior art, Forslow discloses a centralized administration of policies to one or more routers which act as access points to wireless users (*Abstract; Page 4, Paragraph 0066; Page 5, Paragraph 0088; Column 6, Lines 0091 & 0097 – Figures 1-2*).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate the teachings of Forslow with those of Eichert et al. because it is desirable to implement a policy management system that can be dynamically controlled in a wireless network, due to their wide popularity and the ever increasing mobility of society.

Consider **claim 19**, Eichert et al. discloses a system for hardware acceleration in a wired local area network, the method comprising:

means for creating at least one policy to be distributed among at least one of a plurality of access point groups (*the system administrator inputs instructions representing policy – Figure 3 – Column 3, Lines 42-57; Column 7, Lines 1-7; Column 8, Lines 31-42; Abstract*);

means for associating said at least one policy with a particular one of said access point groups (*policy is distributed to the different groups of network devices and end systems – Figures 1 and 3 – Column 4, Lines 1-18; Column 8, Lines 31-42 & 56-63*); and

means for distributing said associated at least one policy to at least one access point in said plurality of access point groups (*policy is distributed to the network devices and end systems – Figures 1 and 3 – Column 4, Lines 1-18; Column 8, Lines 31-42 & 56-63; Column 9, Lines 11-26*).

However, Eichert et al. discloses that this administration of a network occurs in a wired network such as a LAN or WAN, and fails to disclose that this happens in a hybrid wired/wireless network such as a WLAN.

In related prior art, Forslow discloses a centralized administration of policies to one or more routers which act as access points to wireless users (*Abstract; Page 4, Paragraph 0066; Page 5, Paragraph 0088; Column 6, Lines 0091 & 0097 – Figures 1-2*).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate the teachings of Forslow with those of Eichert et al. because it is desirable to implement a policy management system that can be dynamically controlled in a wireless network, due to their wide popularity and the ever increasing mobility of society.

Consider **claim 2**, as applied to claim 1 above, Eichert et al. as modified by Forslow further discloses identifying said associated policy to be distributed to said particular one of said access point groups (*Eichert et al. – Column 2, Lines 6-27; Column 7, Lines 1-6 & 48-56*).

Consider **claim 3**, as applied to claim 2 above, Eichert et al. as modified by Forslow further discloses conditioning said selection of said identified policy upon occurrence of an event (*Eichert et al. – Column 4, Lines 1-19; Column 7, Lines 48-56*).

Consider **claim 4**, as applied to claim 3 above, Eichert et al. as modified by Forslow further discloses distributing said identified policy to said particular one of said access point groups upon said occurrence of said event (*Eichert et al. – Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-10*).

Consider **claim 5**, as applied to claim 4 above, Eichert et al. as modified by Forslow further discloses associating said at least one policy with a particular access point in said particular one of said access point groups (*Eichert et al. – Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-32*).

Consider **claim 6**, as applied to claim 5 above, Eichert et al. as modified by Forslow further discloses distributing said identified policy to said particular access point in said particular one of said access point groups (*Eichert et al. – Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-32*).

Consider **claim 7**, as applied to claim 1 above, Eichert et al. as modified by Forslow further discloses communicating said at least one policy from at least one of a switch and a server to at least one access point in said plurality of access point groups (*Eichert et al. – Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-32*).

Consider **claim 8**, as applied to claim 7 above, Eichert et al. as modified by Forslow further discloses broadcasting said at least one policy from said at least one of a switch and a server to said at least a portion of said plurality of access point groups (*Eichert et al. – Column 4,*

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Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-32 :: Forslow – Page 3, Paragraph 0034; Page 4, paragraph 0066; Page 5, Paragraph 0088; page 6, paragraph 0095).

Consider **claim 9**, as applied to claim 8 above, Eichert et al. as modified by Forslow further discloses distributing said at least one policy via at least one messaging protocol message (*Eichert et al. – Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-32 :: Forslow – Page 3, Paragraph 0034; Page 4, paragraph 0066; Page 5, Paragraph 0088; page 6, paragraph 0095).*

Consider **claim 11**, as applied to claim 10 above, Eichert et al. as modified by Forslow further discloses code for identifying said associated policy to be distributed to said particular one of said access point groups (*Eichert et al. – Column 2, Lines 6-27; Column 7, Lines 1-6 & 48-56).*

Consider **claim 12**, as applied to claim 11 above, Eichert et al. as modified by Forslow further discloses code for conditioning said selection of said identified policy upon occurrence of an event (*Eichert et al. – Column 4, Lines 1-19; Column 7, Lines 48-56).*

Consider **claim 13**, as applied to claim 12 above, Eichert et al. as modified by Forslow further discloses code for distributing said identified policy to said particular one of said access point groups upon said occurrence of said event (*Eichert et al. – Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-10).*

Consider **claim 14**, as applied to claim 13 above, Eichert et al. as modified by Forslow further discloses code for associating said at least one policy with a particular access point in said

particular one of said access point groups (*Eichert et al. – Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-32*).

Consider **claim 15**, as applied to claim 14 above, *Eichert et al.* as modified by Forslow further discloses code for distributing said identified policy to said particular access point in said particular one of said access point groups (*Eichert et al. – Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-32*).

Consider **claim 16**, as applied to claim 10 above, *Eichert et al.* as modified by Forslow further discloses code for communicating said at least one policy from at least one of a switch and a server to at least one access point in said plurality of access point groups (*Eichert et al. – Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-32*).

Consider **claim 17**, as applied to claim 16 above, *Eichert et al.* as modified by Forslow further discloses code for broadcasting said at least one policy from said at least one of a switch and a server to said at least a portion of said plurality of access point groups (*Eichert et al. – Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-32 :: Forslow – Page 3, Paragraph 0034; Page 4, paragraph 0066; Page 5, Paragraph 0088; page 6, paragraph 0095*).

Consider **claim 18**, as applied to claim 17 above, *Eichert et al.* as modified by Forslow further discloses code for distributing said at least one policy via at least one messaging protocol message (*Eichert et al. – Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-32 :: Forslow – Page 3, Paragraph 0034; Page 4, paragraph 0066; Page 5, Paragraph 0088; page 6, paragraph 0095*).

Consider **claim 20**, as applied to claim 19 above, Eichert et al. as modified by Forslow further discloses means for identifying said associated policy to be distributed to said particular one of said access point groups (*Eichert et al. – Column 2, Lines 6-27; Column 7, Lines 1-6 & 48-56*).

Consider **claim 21**, as applied to claim 20 above, Eichert et al. as modified by Forslow further discloses means for conditioning said selection of said identified policy upon occurrence of an event (*Eichert et al. – Column 4, Lines 1-19; Column 7, Lines 48-56*).

Consider **claim 22**, as applied to claim 21 above, Eichert et al. as modified by Forslow further discloses means for distributing said identified policy to said particular one of said access point groups upon said occurrence of said event (*Eichert et al. – Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-10*).

Consider **claim 23**, as applied to claim 22 above, Eichert et al. as modified by Forslow further discloses means for associating said at least one policy with a particular access point in said particular one of said access point groups (*Eichert et al. – Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-32*).

Consider **claim 24**, as applied to claim 23 above, Eichert et al. as modified by Forslow further discloses means for distributing said identified policy to said particular access point in said particular one of said access point groups (*Eichert et al. – Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-32*).

Consider **claim 25**, as applied to claim 19 above, Eichert et al. as modified by Forslow further discloses means for communicating said at least one policy from at least one of a switch

and a server to at least one access point in said plurality of access point groups (*Eichert et al.* – *Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-32*).

Consider **claim 26**, as applied to claim 25 above, *Eichert et al.* as modified by Forslow further discloses means for broadcasting said at least one policy from said at least one of a switch and a server to said at least a portion of said plurality of access point groups (*Eichert et al.* – *Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-32 :: Forslow – Page 3, Paragraph 0034; Page 4, paragraph 0066; Page 5, Paragraph 0088; page 6, paragraph 0095*).

Consider **claim 27**, as applied to claim 26 above, *Eichert et al.* as modified by Forslow further discloses means for distributing said at least one policy via at least one messaging protocol message (*Eichert et al.* – *Column 4, Lines 1-19; Column 7, Lines 48-56; Column 8, Lines 31-42; Column 9, Lines 1-32 :: Forslow – Page 3, Paragraph 0034; Page 4, paragraph 0066; Page 5, Paragraph 0088; page 6, paragraph 0095*).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any response to this Office Action should be **faxed to (571) 273-8300 or mailed to:**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Hand-delivered responses should be brought to

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Simon A. Goetze whose telephone number is (571) 270-1113. The Examiner can normally be reached on Monday-Thursday from 7:30am to 5:00pm and Friday from 7:30am to 4:00pm.

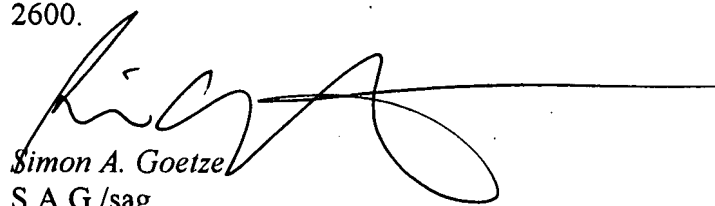
If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Nick Corsaro can be reached on (571) 272-7876. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

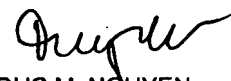
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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.


Simon A. Goetze
S.A.G./sag

July 7, 2007


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